



Lake Cushman Corridor (FS-24) Alcohol Ban FAQ

Why are you doing this?

Due to the mixture of continued increase in visitation and conflicts between visiting parties, the risks for safety of visitors and Forest Service personnel have reached unacceptable limits. By banning alcohol in this closure area, we hope to create a rewarding recreation experience for Forest visitors and a safe environment for federal employees as well as the public.

In addition to creating a safer environment this order is in alignment with state law prohibiting alcohol in public places which is already in place at neighboring recreation sites along the corridor.

Where does this apply?

The prohibition applies to Forest Service Road 24 along Lake Cushman and the Forest Service portion of the 2451 road.

You mentioned a state law prohibiting alcohol in public places like other recreation sites along the corridor...why does this portion of road and recreation sites need a special forest order?

Forest Service Road 24 along Lake Cushman and the Forest Service portion of the 2451 road are managed by the US Forest Service, a federal land management agency. Jurisdiction of alcohol possession and consumption in this closure area falls to the federal government which supersedes state law. This order is intended to be in alignment with state law prohibiting alcohol in public places which is already in place at neighboring recreation sites along the corridor.

Can I legally drink on national forest lands outside the Lake Cushman Corridor?

Yes, drinking is legal on other National Forest lands. Many agencies manage recreation sites along the Lake Cushman Corridor and other public spaces on the Olympic Peninsula, make sure to check regulations before visiting any public lands.

Are other substances like marijuana legal in the Lake Cushman Corridor?

No, possession and consumption of marijuana and all other illegal drugs are prohibited on federal lands including, National Forest lands.

What is the FS Authority for this action?

The Forest Service has the responsibility and authority to protect resources and public safety on National Forest lands. By law this is implemented through Title 16, United States Code, Chapter 551, to promulgate regulations through the Code of Federal Regulations (CFR's). Those authorities are further delegated within the CFR's at Title 21, CFR 261.50, which gives a Forest Supervisor the authority to establish certain restrictions on the occupancy and use of National Forest System Land.

What are the penalties?

The maximum penalty for violation of the prohibition is \$5,000 and/or not more than six months in prison.

How is it going to be enforced?

The prohibition against possession of alcohol will be effective beginning May 21, 2021. After May 21, citations will be issued, alcohol confiscated, and entry into or use of the closure area denied for possession of alcohol in the designated areas.

How long will this be in effect?

This alcohol ban is valid for two years after signature date but can be renewed indefinitely. It is anticipated that the prohibition against possessing alcohol along the Lake Cushman Corridor (FS-24) will remain in effect indefinitely.

Is there a definition of an alcoholic beverage?

Yes. The definition of alcoholic beverage under the Code of Federal Regulations is the one used in State law: “ ‘Alcoholic beverage’ and ‘alcoholic liquor’ mean any liquid or solid containing more than one-half of one percent alcohol by volume and capable of being consumed by a human being.”

How has the public been informed of this decision?

The Forest Service is conducting a far-reaching effort to inform and educate the public about this prohibition so that visitors can plan their visits in compliance with this new order.

How was the public involved in this decision? Can I comment on this?

The Olympic National Forest worked together with local agencies including but not limited to the National Park Service, Mason County, Tacoma Power, Washington State Patrol, and the Skokomish Tribe to come to this decision.

Yes, you may comment on the decision to issue this order. However, it is issued under the Forest Supervisor’s administrative authorities for the purpose of addressing a serious public and employee health and safety risk so, it is not contingent on public comment.

Can you store our alcohol?

No.

Is this being done anywhere else in the Forest Service?

Yes. Examples include:

- the Mt. Hood National Forest in Oregon prohibits alcohol at Bagby Hot Springs
- the Oregon Dunes National Recreation Area prohibits alcohol at Hall-Schuttpelz Lake
- the Willamette National Forest prohibits alcohol in the parking lot at Terwilliger Hot Springs